

SCOTT N. SCHOOLS, SC SBN 9990  
 United States Attorney  
 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 Chief, Civil Division  
 EDWARD A. OLSEN, CSBN 214150  
 Assistant United States Attorney  
 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 Telephone: (415) 436-6915  
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

AMAR BELLAHA,	)	
	)	
Plaintiff,	)	No. C 07-2872 PJH
	)	
v.	)	
	)	
ALBERTO GONZALES, Attorney General	)	ANSWER
of the United States; MICHAEL CHERTOFF,	)	
Secretary of the Department of Homeland	)	
Security; EMILIO GONZALEZ, Director of	)	
United States Citizenship and Immigration	)	
Services; ROBERT S. MUELLER, III, Director	)	
of the Federal Bureau of Investigation;	)	
CHRISTINA POULOS, Director of the	)	
California Service Center; et al.,	)	
	)	
Defendants.	)	

The Defendants hereby submit their answer to Plaintiff's Civil Action to Compel Defendants to Complete Naturalization Process.

1. Paragraph One consists of plaintiff's characterization of this action, and thus no admission or denial is required.

2. Defendants admit the allegations in Paragraph Two.

3. Defendants deny the allegations in Paragraph Three as the FBI name checks have not been returned as required by statute and regulation.

ANSWER  
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1 4. Defendants admit the allegations in Paragraph Four.

2 5. Paragraph Five consists of plaintiff's allegations regarding venue, to which no responsive  
3 pleading is required; however, to the extent a responsive pleading is deemed necessary, defendants  
4 deny the allegations contained in this paragraph.

5 **FACTS**

6 6. Defendants admit the allegations in Paragraph Six.

7 7. Defendants admit the allegations in Paragraph Seven.

8 8. Defendants admit the allegations in Paragraph Eight.

9 9. Defendants admit the allegations in Paragraph Nine.

10 10. Defendants admit the allegations in Paragraph Ten.

11 11. Defendants are without sufficient information to admit or deny the allegations in  
12 Paragraph Eleven.

13 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

14 The unnumbered paragraph under the heading "Exhaustion of Administrative Remedies"  
15 consist solely of plaintiff's conclusions of law for which no answer is necessary; however, to the  
16 extent a response is deemed to be required, defendants deny the allegations in this paragraph.

17 **CLAIMS**

18 17. The allegations contained in Paragraph Seventeen consist solely of plaintiff's conclusions  
19 of law for which no answer is necessary; however, to the extent a response is deemed to be  
20 required, defendants deny the allegations in this paragraph.

21 18. The allegations contained in Paragraph Eighteen consist solely of plaintiff's conclusions of  
22 law for which no answer is necessary.

23 19. Defendants deny the allegations in Paragraph Nineteen.

24 The remaining paragraph consists of plaintiff's prayer for relief and request for costs and fees,  
25 to which no admission or denial is required; to the extent a responsive pleading is deemed to be  
26 required, defendants deny the allegations in this paragraph.

27 **FIRST AFFIRMATIVE DEFENSE**

28 Plaintiff's complaint fails to state a claim upon which relief may be granted.

**SECOND AFFIRMATIVE DEFENSE**

The court should dismiss the Complaint under Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction.

WHEREFORE, defendants pray for relief as follows:

That judgment be entered for defendants and against plaintiff, dismissing plaintiff's Complaint with prejudice; that plaintiff takes nothing; and that the Court grant such further relief as it deems just and proper under the circumstances.

Dated: September 27, 2007

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
EDWARD A. OLSEN  
Assistant United States Attorney  
Attorneys for Defendants